

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
BRIDGEPORT DIVISION

ERIC LAFFERTY; DAVID WHEELER;)
FRANCINE WHEELER; JACQUELINE)
BARDEN; MARK BARDEN; NICOLE) Adv. Pro. No. 22-05004 (JAM)
HOCKLEY; IAN HOCKLEY; JENNIFER)
HENSEL; JEREMY RICHMAN; DONNA SOTO;)
CARLEE SOTO-PARISI; CARLOS)
M. SOTO; JILLIAN SOTO; AND WILLIAM)
ALDENBERG; RICHARD M. COAN, TRUSTEE)
OF THE BANKRUPTCY ESTATE OF ERICA L.)
GARBATINI F/K/A ERICA LAFFERTY)
)
Plaintiffs,)
)
v.)
)
ALEX EMRIC JONES; INFOWARS, LLC; FREE)
SPEECH SYSTEMS, LLC; INFOWARS HEALTH,)
LLC; PRISON PLANET TV, LLC; WOLFGANG)
HALBIG; CORY T. SKLANKA; GENESIS)
COMMUNICATIONS NETWORK, INC.; and)
MIDAS RESOURCES, INC.,)
)
Defendants.

NOTICE OF DISMISSAL OF CLAIMS AGAINST REMOVING DEFENDANTS
INFOWARS LLC (aka INFOW, LLC), INFOWARS HEALTH, LLC (aka IWHealth,
LLC) AND PRISON PLANET TV, LLC¹

¹ There are three consolidated cases in the Connecticut Superior Court: *Lafferty v. Jones* (UWY- CV18-6046436-S), *Sherlach v. Jones* (UWY-CV18-6046437-S), and *Sherlach v. Jones* (UWY- CV18-6046438-S). These cases were abusively removed to this Court under names and docket numbers *Lafferty v. Jones* (22-05004), *Sherlach v. Jones* (22-05005), and *Sherlach v. Jones* (22-05006). This identical Notice of Dismissal is being filed in all three bankruptcy cases: 22-05004, 22-05005, and 22-05006.

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) and Fed. R. Bankr. P. 7041, all of the plaintiffs in these three removed actions hereby voluntarily dismiss their claims against Infowars, LLC (aka InfoW, LLC); Infowars Health, LLC (aka IWHealth, LLC); and Prison Planet TV, LLC.²

Stated with more specificity, David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto-Parisi, Carlos M. Soto, Jillian Soto, William Aldenberg, William Sherlach, Robert Parker, Erica L. Garbatini f/k/a Erica Lafferty, and Richard M. Coan as Chapter 7 Trustee of the bankruptcy estate of Erica L. Garbatini³ (hereafter “the plaintiffs”) voluntarily dismiss their claims against Infowars, LLC (aka InfoW, LLC); Infowars Health, LLC (aka IWHealth, LLC); and Prison Planet TV, LLC in these three removed cases (Connecticut Superior Court title and docket numbers *Lafferty v. Jones* (UWY- CV18-6046436-S), *Sherlach v. Jones* (UWY-CV18-6046437-S), and *Sherlach v. Jones* (UWY- CV18-6046438-S), now docketed in this Court as *Lafferty v. Jones* (22-05004), *Sherlach v. Jones* (22-05005), and *Sherlach v. Jones* (22-05006)).

² See *Williams v. MESA Underwriters Specialty Ins. Co.*, 538 F. Supp. 3d 234, 236 n.2 (D. Conn. 2021) (Dooley, J.) (appropriate to use Rule 41 to dismiss all claims against a particular defendant); *LeFevre v. Fishers Island Ferry Dist.*, 2018 WL 3025039, at *3 (D. Conn. June 18, 2018) (Bolden, J.) (same); *Juliano v. Grand Hyatt New York, Inc.*, 2018 WL 1069578, at *2-3 (D. Conn. Feb. 27, 2018) (Bolden, J.) (same); *Morron v. City of Middletown*, 2006 WL 1455607, at *1 (D. Conn. May 23, 2006) (Hall, J.) (same); *Alston v. Pafumi*, 2011 WL 1885676, at *1 (D. Conn. May 18, 2011) (Haight, J.) (same); *Grace v. Plank*, 2007 WL 4224221, at *5 (D. Conn. Nov. 27, 2007) (Underhill, J.) (same); *Guiglano v. Danbury Hosp.*, 396 F. Supp. 2d 220, 224-25 (D. Conn. 2005) (Chatigny, J.) (same).

³ Ms. Lafferty-Garbatini was at one time a party plaintiff to the consolidated actions, and Mr. Coan was then substituted for her as party plaintiff. The removing defendants incorrectly named Ms. Lafferty (and not Mr. Coan) as a plaintiff in the notice of removal, and Ms. Lafferty’s inclusion on this dismissal is unnecessary and superfluous. Nonetheless, to ensure that it is crystal clear that this dismissal is fully effective as to the Lafferty claims, this dismissal is made on behalf of both Ms. Lafferty-Garbatini and Mr. Coan.

This dismissal is as to the plaintiffs' claims against Infowars, LLC (aka InfoW, LLC); Infowars Health, LLC (aka IWHealth, LLC); and Prison Planet TV, LLC only. The plaintiffs maintain each and all of their claims against the other defendants in these actions: Alex Emric Jones; Free Speech Systems, LLC; and Genesis Communications Network, Inc.

This dismissal is made unilaterally by the plaintiffs, is not the result of any agreement between the plaintiffs and the defendants in this action, and is made without consideration of any kind from the defendants in this action. This dismissal is without prejudice and without costs.

Dated: Bridgeport, Connecticut
May 2, 2022

By: /s/ Alinor C. Sterling
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Counsel for the Individual Plaintiffs⁵

⁴Koskoff, Koskoff & Bieder represents all of the plaintiffs, including Richard M. Coan solely in his capacity as Chapter 7 Trustee of the bankruptcy estate of Erica L. Garbatini.

⁵In connection with this proceeding, Shipman & Goodwin LLP represents Erica L. Garbatini f/k/a Erica Lafferty, David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto-Parisi, Carlos Mathew Soto, Jillian Soto, William Aldenberg, William Sherlach, and Robert Parker (collectively, the “Individual Plaintiffs”).

CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2022, a copy of the foregoing Notice of Dismissal of Claims Against Removing Defendants InfoWars LLC (aka InfoW, LLC), InfoWars Health, LLC (IWHealth, LLC) and Prison Planet TV, LLC was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by First Class mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

I further certify that on May 2, 2022, a copy of the foregoing Notice of Dismissal of Claims Against Removing Defendants InfoWars LLC (aka InfoW, LLC), InfoWars Health, LLC (IWHealth, LLC) and Prison Planet TV, LLC was also served via U.S. First Class prepaid postage on the following parties listed below:

Wolfgang Halbig
25526 Hawks Run Lane
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Genesis Communications Network, Inc.
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Service
190 Cobblestone Lane
Burnsville, MN 55337

Norman A. Patis
Pattis & Smith, LLC
383 Orange Street
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New Haven, CT 06511

Cory T. Sklanka
515 Gracey Avenue
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Midas Resources, Inc.
Attn. Officer, Managing Agent or Agent for
Service
190 Cobblestone Lane
Burnsville, MN 55337

James H. Fetzer, PH.D.
800 Violet Lane
Oregon, WI 53575

/s/ Alinor C. Sterling
ALINOR C. STERLING
CHRISTOPHER M. MATTEI

/s/ Eric Goldstein
ERIC GOLDSTEIN
JESSICA M. SIGNOR